

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Allegation of Corruption against Sri K.Vijaya Sarathi, District Inspector, Legal Metrology, Ranga Reddy-III – Sanction of Prosecution - Revised - Orders – Issued.

CONSUMER AFFAIRS, FOOD & CIVIL SUPPLIES (VS) DEPARTMENT

G.O.Ms.No. 28

Dated:20-05-2009.

ORDER:

Whereas, Sri K.Vijaya Sarathi worked as District Inspector, Legal Metrology, Ranga Reddy-III, Ranga Reddy District from 10-08-2007 to 02-08-2008 and by virtue of the post held by him, he falls under the category of Public Servant as defined under clause © of section 2 of the Prevention of Corruption Act, 1988 (Central Act, 49 of 1988);

2. And whereas, it is alleged that Sri Khaja Pasha, S/o Mohd.Mashayaq, aged 50 years, Occu:Business is a resident of Vikarabad of Ranga Reddy District and running a Petrol Pump viz M/s.Royal Service Station at proper Vikarabad since five years, which is in the name of his wife. About 15-20 days back the dispensing pump of their outlet went out of order and due to which they could not sell the petroleum products. On 18-07-2008 he informed about the same to the I.O.C. Company and requested to send the servicing personnel to repair the pump. On 20-07-2008 the Company servicing personnel came to petrol pump and repaired the unit and installed the same by replacing the totalizer of the Petrol Pump with the one which is working with another dispensing pump of the outlet, after obtaining the oral permission of the District Inspector, Legal Metrology, Ranga Reddy-III while repairing the pump, the servicing mechanic removed the seal of the dispensing unit which was affixed by the Inspector, Legal Metrology. As they should not run the pump without the seal of the Inspector, Legal Metrology, he informed the same to the concerned Inspector Sri Vijaya Sarathi of Legal Metrology, Rana Reddy District and requested him to inspect and affix the seal to the pumps once again to enable them to use the pump and sell the products. He also informed him about the changing of Totalizer, but Sri K.Vijaya Sarathi, District Inspector, Legal Metrology, Ranga Reddy District for one reason or the other he was dodging to visit their outlet and postponing his inspection due to which they were unable to do their business;

3. And whereas, on 27.07.2008 the complainant met Sri K.Vijaya Sarathi, District Inspector, Legal Metrology at Hyderabad and personally requested the Accused Officer to come to Vikarabad and inspect their petrol pump and to affix the seal, for which Sri K.Vijaya Sarathi, demanded an amount of Rs.10,000/- as bribe for inspecting and putting the seal. Sri Khaja Pasha pleaded his inability to pay such a huge amount as bribe and requested to attend to his work, but Sri K.Vijaya Sarathi, District Inspector refused to do to the work unless the demanded bribe amount of Rs.10,000/- is paid to him. Subsequently Sri Khaja Pasha contacted Sri Vijaya Sarathi, Inspector, Legal Metrology many times on phone and requested to inspect the petrol pump and to fix the seal, but the Inspector insisted for payment of bribe amount of Rs.10,000/- for attending to the work;

4. And whereas on 29-07-2008 Sri K.Vijaya Sarathi, Inspector, Legal Metrology came to Vikarabad, visited the petrol pump and on persistent request of Sri Khaja Pasha, Sri K.Vijaya Sarathi Inspected the dispensing unit of petrol pump and on his assurance, the Inspector fixed the seal on it. Sri Khaja Pasha also paid the inspection fee of Rs.2,000/- to Sri K. Vijaya Sarathi as he inspected both the pumps of their outlet. Then Sri K.Vijaya Sarathi, demanded for payment of bribe of Rs.10,000/- or

otherwise he threatened that he will remove the seal and create problems in running his business. On persistent request of Sri Khaja Pasha, Sri K.Vijaya Sarathi reduced the demand of bribe to Rs.5, 000/- As there was no other go, Sri Khaja Pasha agreed to pay the demanded bribe amount, but requested the inspector that he would pay the amount in (2) or (3) days as Sri Khaja Pasha was not having the amount right then with him. Sri K.Vijaya Sarathi, warned Sri Khaja Pasha that if the demanded bribe of RS.5,000/- was not paid as promised within (2) or (3) days, he will once again inspect the pump and see that his business is closed;

5. And whereas, Sri Khaja Pasha was not willing to pay any bribe to Sri K.Vijaya Sarathi, District Inspector, Legal Metrology, Ranga Reddy-III of Ranga Reddy District, he lodged a written complaint with Deputy Superintendent of Police, Anti Corruption Bureau, Hyderabad Range, Hyderabad on 01-08-2008. After verifying the facts of the complaint, the Deputy Superintendent of Police, Anti Corruption Bureau, Hyderabad Range, Hyderabad has registered a case in Cr.No.15/ACB-HR/2008 under section 7 of the Prevention of Corruption Act, 1988 on 02-08-2008 at 09-45 hours and investigated into;

6. And whereas, on 02-08-2008 i.e., on the date of trap, at about 14.00 hours Sri Khaja Pasha proceeded to the Office of Sri K.Vijaya Sarathi, District Inspector, Legal Metrology, Ranga Reddy-III which is situated on Street No.4, Tirumala Hills, Asmangad, Malakpet, Hyderabad, where as the Trap party members followed him from a distance. Sri Khaja Pasha entered into the Office and found Sri K.Vijaya Sarathi, District Inspector present in his seat. Then Sri Khaja Pasha entered into the room. On seeing him Sri K.Vijaya Sarathi, welcomed him and offered a chair and enquired whether the demanded bribe amount was brought. On the affirmative reply of Sri Khaja Pasha, Sri K.Vijaya Sarathi demanded to pay the bribe on which Sri Khaja Pasha informed Sri K.Vijaya Sarathi, that as advised by him, he brought a letter antedated i.e. 10-07-2008 requesting for permission for changing the totalizer from unit-1 to unit-2 under the signature of his wife and requested him to peruse the same. Then Sri K.Vijaya Sarathi, took the said letter from him, went through it, read over the same and made an endorsement on it dated 10-07-2008 and put his rubber stamp on it and then handed over the same to Sri Khaja Pasha. Then Sri Khaja Pasha took out the wad of currency notes from his left front shirt pocket and offered the same to Sri K.Vijaya Sarathi who accepted the same with his right hand, counted with both hands and kept them in the side pocket of **attaché-bag** available on his table. Then Sri Khaja Pasha came out from the office near the main gate and gave the pre-arranged signal by wiping his face with handkerchief indicating the demand and acceptance of bribe. He also informed the Deputy Superintendent of Police when he was rushing into the office about the location of the room of Sri K.Vijaya Sarathi Inspector and on the instruction of the Deputy Superintendent of Police he was waiting outside the office. So saying he produced the letter dated 10-07-2008 addressed to the District Officer, Legal Metrology, Hyderabad under the signature on behalf of Smt. Kausar Jahan Begum wife of the complainant requesting for permission to change the totalizer, Phenolphthalein test conducted over both the hand fingers of Sri K.Vijaya Sarathi, District Inspector, Legal Metrology, Ranga Reddy-III which came into contact with tainted currency yielded positive result. The tainted currency of Rs.5, 000/- was recovered from the side pocket of the **Attache-bag** of Sri K.Vijaya Sarathi in the presence of mediators at the instance of Sri K.Vijaya Sarathi. The inner portion of the side pocket of **Attache-bag** of Sri K.Vijaya Sarathi when subjected to Phenolphthalein test also yielded positive result;

7. And whereas, the said acts of Sri K.Vijaya Sarathi, District Inspector, Legal Metrology, Ranga Reddy – III of Raga Reddy District constitute the offences punishable under section 7 & 13 (2) read with section 13(1) (d) of the Prevention of Corruption Act, 1988(Central Act, 49 of 1988)

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8. And whereas, the Government of Andhra Pradesh, being the Competent Authority to remove Sri K.Vijaya Sarathi, District Inspector, Legal Metrology, Ranga Reddy-III of Ranga Reddy District from his service, after fully and carefully examining, the material placed before them **and having applied their mind** in respect of the said allegations and to the facts and circumstances of the case, consider that the said Sri K.Vijaya Sarathi, District Inspector, Legal Metrology, Ranga Reddy-III of Ranga Reddy District should be prosecuted in a Court of Law for the aforesaid offences.

9. Now, therefore, in exercise of the powers conferred under clause (b) of sub-section (1) of section 19 of the Prevention of Corruption Act, 1988 (Central Act, 49 of 1988), the Government of Andhra Pradesh hereby accord sanction for prosecution of the said Sri K.Vijaya Sarathi, District Inspector, Legal Metrology, Ranga Reddy-III of Ranga Reddy District for the above said offences punishable under section 7 & 13(2) read with section 13(1) (d) of the Prevention of Corruption Act, 1988 (Central Act, 49 of 1988), and for any other cognate offences punishable under any other provisions of Law for the time being in force and for taking cognizance of the said offences by a court of competent jurisdiction.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**(SANJAY JAJU),
E.O.SECRETARY TO GOVERNMENT.**

To
The Director General,
Anti Corruption Bureau,
A.P.Hyderabad.

//FORWARDED BY ORDER//

SECTION OFFICER